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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of :
Manabu OUMI et al. :
Serial No. 09/997,484 : Group Art Unit: 2873
Filed: November 21, 2001 :
For: METHOD OF FABRICATING :
OPTICAL APERTURE AND :
METHOD OF FABRICATING :
PROBE FOR NEAR FIELD :
LIGHT DEVICE : Docket No. S004-4470

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COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, DC 20231

Attention: Box Missing Parts

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NON-PROVISIONAL APPLICATION**

S I R:

On December 18, 2001, the PTO issued a Notice To File Missing Parts Of Nonprovisional Application ("Notice") advising that the application was filed without a declaration and providing a two-month period in which to submit the declaration and surcharge for late filing thereof.

In response to the PTO Notice, a duly signed declaration is submitted herewith together with a check in the sum of \$130.00 to cover the required surcharge for the late

MAILING CERTIFICATE ON
LAST PAGE

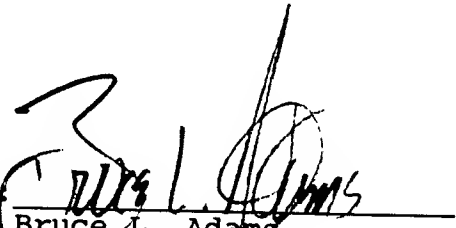
filing of the declaration. Also submitted is a copy of the P1 Notice. Should the check prove insufficient for any reason, authorization is hereby given to charge any such deficiency to Deposit Account No. 01-0268.

It is respectfully requested that the processing of the application be completed, and that the filing receipt be issued in due course.

Respectfully submitted,

ADAMS & WILKS
Attorneys for Applicants

By


Bruce L. Adams
Reg. No. 25,386

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MAILING CERTIFICATE

I hereby certify that this correspondence is being deposited with the United States Postal Service by first-class mail in an envelope addressed to Commissioner of Patents & Trademarks, Washington, D.C. 20251, on the date indicated below.


Bruce L. Adams

Attorney Name

Signature

January 28, 2002

Date

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/997,484	11/21/2001	Manabu Oumi	S004-4470

ADAMS & WILKS
50 Broadway, 31st Floor
New York, NY 10004

CONFIRMATION NO. 5218

FORMALITIES LETTER



OC000000007205044

Date Mailed: 12/18/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

H. T.
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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